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Washington Star
3 Oct 1968
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Ray Trial Planned In Memphis in Fall

MEMPHIS (AP) 7/2/68 Shelby County District Atty. Phil M. Canale says he is planning an early fall trial in Memphis for James Earl Ray, whose extradition for trial in the murder of Dr. Martin Luther King Jr. was ordered yesterday in London.

In London today Ray's British lawyers began preparing his appeal of the extradition ruling. Ray remained under close guard in London's Wandsworth prison. The appeal process could delay his return to the United States until at least late this month.

Dist. Atty. Canale yesterday said he would head the prosecution and denied the courtroom would be filled with top Justice Department lawyers, as claimed by Ray's attorney, Arthur Hanes of Birmingham, Ala.

"If a federal attorney is present, it will be in the capacity of observer," Canale said.

Hanes, in Birmingham, said he does not plan to ask that Ray's trial be changed from Memphis, where King was killed on April 4.

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Wash Star 7/2/68

British Court Orders Ray's Return to U.S.

Appeals Expected To Bar Departure At Least to August

By SMITH HEMPSTONE
European Correspondent of The Star

LONDON — Bow Street Magistrate Frank Milton this afternoon ordered James Earl Ray, alias Ramon George Sneyd, returned to the United States to face charges of murdering Dr. Martin Luther King Jr.

Milton held that Ray should also be extradited on the lesser charge of breaking out of the Missouri State Penitentiary in 1967, where he was serving a 20-year sentence for armed robbery.

Ray asked for and received the right to legal aid. He has 15 days in which to appeal the extradition order to the High Court. His lawyers confirmed today that he will appeal.

Should this appeal fail, Ray will have another 14 days in which to make final appeal to the House of Lords. Thus if Ray exhausts these two avenues — and loses his case — he cannot be returned to the United States before August.

Vinson Present in Court

Assistant U.S. Atty. Gen. Fred M. Vinson Jr. was present in court as Milton handed down his verdict. Ray was so closely guarded by plainclothesmen that it was impossible to see his expression as he stood to hear the verdict.

Milton said that he accepted evidence that "James Earl Ray is the same man as the person here before me."

Milton said that Roger Frisby, Ray's attorney, had "conscientiously, persuasively and most ably" argued that Ray's crime was of a political, not personal, nature.

"I do not hold so," Milton said.

Milton said that assassination of Dr. King "on the face of it was an individual act when there was no insurrection in existence or, as far as one knows, in prospect."

Frisby had argued that within the context of civil rights agitation, King's slaying in Memphis, Tenn., April 4 was a political act.

But Milton said that "to hold

—Associated Press

David Calcutt, British lawyer for the U.S. government in the James Earl Ray extradition, enters court in London.

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RAY

British Court Grants Extradition to U.S.

Continued From Page A-1

extraditable crimes had been made, Milton said:

"There can be no doubt. The answer is yes."

Milton pointed out that, since Dr. King was "not in charge of the government", it would be difficult to construe his murder as an insurrectional act.

The chief magistrate said a statement Ray made at end of the morning hearing, "could not possibly make any difference in my decision on this case."

But David Calcutt, attorney for the U.S., stated that parts of Ray's allegations were incorrect.

Ray Makes Statement

Ten minutes after court had adjourned for lunch, Ray, who at his hearing Thursday denied having killed Dr. King, returned to make a statement.

Ray said he objected (as he did Thursday) to chief Scotland Yard detective Thomas Butler's statement of his reaction June 8 to knowledge that he was wanted for murder in U.S.

Butler testified on Thursday that Sneyd said, "Oh, God . . . I feel so trapped" as he slumped into a chair and placed his head in his hands.

Ray said he was objecting to Butler's statement "in view of the fact that this case will probably be given wide publicity in the United States, especially in the so-called liberal press."

Couldn't See Attorney

He also objected to the fact that he had not been allowed to see his American attorney, Arthur Hanes of Birmingham, Ala.

Ray said he believed there was "a connection" between extradition hearing and "the trial in the States".

He added, "I think that in view of the seriousness of this case, I should have had a little more freedom to write and visit people."

that a state of insurrection or civil war should exist.

"Wherever there is a substantial body of persons seeking by constitutional or other means to compel the government to change its policies, you have a situation where even the crime of murder may be motivated politically," Frisby said.

Citing various English legal authorities, Frisby argued that the question of motive "must be relevant and may be decisive." It had been shown, he said, that Ray did not know Dr. King and had nothing against him personally.

He termed Dr. King "a political figure engaging in political activities" as he sketched in outlines of the civil rights offensive beginning with the Alabama bus boycott of 1955, which Dr. King led.

Political Activities Claimed

As further evidence of the political nature of Dr. King's activities, Frisby cited 1964 presidential campaign, in which Dr. King and other Negro leaders urged their supporters to vote for President Johnson rather than Senator Barry Goldwater, the Republican candidate.

He said that some observers estimated that 90 percent of the Negro voters followed these instructions.

He credited Dr. King in 1964, against background of violence, of obtaining passage of the civil rights law which, among other things, banned segregation in interstate transport.

These acts, Frisby argued, were "clearly" of a political nature. If no personal motive could be detected for murder of Dr. King, he said that "the odds are that the crime was political."

Calcutt argued that "a lone murder of a public figure" cannot be said to satisfy the requirement that such act should take place within context of "something larger" to be construed as political.

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As Ray stood at the afternoon session to hear the chief magistrate's decision, Milton said:

"Both (defense) submissions fail and the accused will be committed to prison to await extradition to the United States on both charges."

Remanded to Prison

Ray was remanded to prison until July 9 on two lesser British charges of using false passport to enter the United Kingdom and carrying an unlicensed firearm when he was arrested at London's Heathrow Airport on June 8.

Ray heard the verdict in silence before being hustled out of court by detectives.

The federal charge of conspiring to deprive Dr. King of his civil rights, since this is not covered by the extradition treaty, has been dropped. Ray can be tried in the U.S. only on those charges for which he is extradited.

Throughout today's hearing, Ray, wearing an open necked white shirt and a blue patterned suit, sat flanked by detectives. Police frisked newsmen and spectators before allowing them into the court, which is directly opposite Covent Garden Opera House.

Defense Presents Arguments

Frisby argued this morning that for the offense to be a political one, Ray did not know Dr. King and had nothing against him personally.

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Calcutt argued that "a lone murder of a public figure" cannot be said to satisfy the requirement that such act should take place within context of "s o m e t h i n g larger" to be construed as political.

He said that the defense had presented no evidence that any sort of state of insurrection existed in the U.S. at time of Dr. King's murder.

Calcutt contended that "not one shred of evidence" had been presented to show that Dr. King had been assassinated "to further any larger enterprise."

"It was a lone assassination for purely private purposes," he said.

Calcutt argued that it was clear that concept of political asylum is for "refugees from something other than criminal acts."

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Britain Approves Ray Extradition

LONDON (AP) — A British court today granted extradition of James Earl Ray, wanted in the United States as the accused assassin of Dr. Martin Luther King Jr.

The extradition order was granted by Chief Magistrate Frank Milton.

Legal sources said Ray would appeal the decision.

The magistrate granted Ray legal aid to pursue his appeal in a higher court within the required 15-day deadline.

Ray received the magistrate's decision without any outward show of emotion.

He was immediately led from court, still surrounded by a cordon of Scotland Yard detectives, and taken back to his maximum security jail at Wandsworth Prison in south London.

JAMES EARL RAY

No Spectator Reaction

There was no reaction from spectators in the crowded courtroom.

The magistrate, addressed Ray directly and told him: "You will be committed to prison to await extradition to the United States."

Milton dealt at some length with the contention of defense attorney Roger Frisby that Ray could not be extradited because the slaying of the civil rights leader, shot in Memphis, Tenn., April 4, was a political offense.

The judge agreed it was common knowledge that King was a controversial figure in the United States. But he refused to accept the defense contention that this alone would make the crime of his assassination a political one.

"To hold so would be to extend the meaning of this case too far," the magistrate said.

The case turned on whether the crime was political or not. Under treaty between Britain and the United States, persons may not be extradited for political reasons.

The U.S. government denied

See RAY, Page A-10

ty in establishing that there was a prima facie case against Ray in King's murder.

"On this, on the verbal and affidavit evidence before me, there can be no doubt," he said.

Milton said no evidence had been produced in Ray's case to show it was not an individual act.

Called Same Person

The magistrate passed over the question of Ray's identification without difficulty. Ray was arrested in Britain on forged passport and illegal gun-carrying charges under the alias of Ramon George Sneyd.

But the magistrate said: "I find evidence that James Earl Ray is the same person now before me."

Lawyers close to the case said

Mr. Arthur Hanes of Birmingham, Ala.

"He subsequently made a trip to consult with me. This was opposed by the Home Secretary James Callaghan, and I made an application to the home secretary and I received no answer.

"I then wrote to Mr. Edward Heath Conservative opposition leader and I was informed by the governor of Wandsworth Prison that this was not permissible and that he would forward the letter to Mr. Callaghan. Evidently the House Secretary would decide whether Mr. Heath would be permitted to read the letter.

"I think that, in view of the seriousness of this case, I should have had a little more freedom to write and visit people in the

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RAY

British Court Grants Extradition to U.S.

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Ray's contention that the killing of King was a political crime.

"There is not a shred of evidence to show that the murder took place to further the ends of a larger enterprise," David Calcutt, a British lawyer representing the U.S. government, told the magistrate.

He declared: "There was no conspiracy. No other man or other body was involved.

"There may have been undertones that this might be so, but the evidence before this court points to a lone assassination for private purpose."

The argument that there was no conspiracy seemed intended to apply only to the first-degree-murder warrant issued by the State of Tennessee for the shooting in Memphis April 4.

On Personal Grounds

When Ray was put on the FBI's "most wanted" list April 20, he was wanted also on a federal charge of conspiracy to deny King his civil rights.

The prisoner has denied he killed King, or even knew him.

Frisby told the court that whoever did the shooting did not do it on personal grounds but because he disapproved of the type of activity King was conducting.

In summing up, Magistrate Milton said he found no difficulty in establishing that there was a prima facie case against Ray in King's murder.

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ter the court had ordered an adjournment for lunch, Ray returned to make an unexpected statement.

Sandwiched between two policemen, he told the magistrate: "I don't want to repeat myself. I would like to take the opportunity to object to Mr. Butler's testimony."

Detective Chief Supt. Thomas Butler of Scotland Yard had testified last week that, when accused, Ray collapsed on a seat in his cell crying: "Oh God. I feel so trapped."

Ray quickly denied he ever said it and he made a further denial today "especially in view of the fact that this case will probably be given wide publicity in the United States, especially in the so-called liberal press."

Never Signed Anything

"I would urge this court to take in the totality of the circumstances," Ray said. "One, that I did not sign any kind of statement whatsoever, and also the fact that I said I did not want to have conversation with anybody connected with the United States Justice Department.

"One other thing I object to, I'm sure it is not connected with the case. I believe there is a connection between this hearing and the trial in the States. Shortly after I was arrested by the British authorities, I engaged an attorney in the United States — Mr. Arthur Hanes of Birmingham, Ala.

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But the magistrate said: "I find evidence that James Earl Ray is the same person now before me."

Lawyers close to the case said an appeal would be carried to the High Court with arguments on the same political grounds as Milton rejected in Magistrate's Court.

Should the High Court reject the appeal, Ray could go to the House of Lords, which is Britain's highest court. But he could make an appeal to the Lords only on a point of law.

The extradition order against the 40-year-old prisoner was on two grounds — being "a fugitive criminal accused of murder" and "a fugitive convicted of robbery."

This traces to his escape in April 1967 from the Missouri State Penitentiary at Jefferson City, where he was starting his eighth year of a 20-year sentence for armed robbery.

Two British charges on which Ray was arrested at London Airport June 8 — having a forged Canadian passport and an unlicensed gun — are due to come up next Tuesday. In view of the developments, they may be dropped.

Ray Makes Statement

Ray voiced a complaint about British officialdom in the final stage of the hearing. Shortly after Ray quickly denied he ever said it and he made a further denial today "especially in view of the fact that this case will probably be given wide publicity in the United States, especially in the so-called liberal press."

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"I think that, in view of the seriousness of this case, I should have had a little more freedom to write and visit people in the circumstances. That is all I have to say and I would like to thank the court."

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* GPO : 1964 O—721-594

The Evening Star 3RD June 1968

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Ray on Stand, Denies Killing Of Dr. King

LONDON (UPI) — James Earl Ray took the witness stand today in his fight against extradition and denied he was the assassin of Dr. Martin Luther King Jr.

Asked by his counsel "did you kill Dr. Martin Luther King?" Ray replied quickly and in matter-of-fact tones:

"No, sir."

Ray had entered the courtroom in historic Bow Street Magistrate Court chewing gum, his face already showing the beginning of five o'clock shadow.

He hunched forward, his jaw muscles twitching from time to time, as British attorney David Calcutt, acting for the United States, said he was the "single hand" killer of King and demanded his return for trial as a murderer.

Ray, who has been silent since his arrest at London airport June 8 on charges of having illegal passports and carrying a pistol, rose after his lawyer announced to a stunned court:

"I call my client."

Ray, flanked by two Scotland Yard detectives, marched to the witness stand.

One of the detectives guarding him against possible assassination attempts shifted between him and the main body of the court.

STAR
6/27/68

Prisoner Not Sworn In

"I think you should sit here and take the oath seated," Magistrate Frank Milton said.

The attorneys and the magistrate then discussed under what name Ray should be sworn in. He was arrested as Ramon George Sneyd. It was decided not to swear him in at all but merely to have him answer his counsel's questions.

"Are you the men arrested at London Airport June 8?" his attorney Rober Frisby asked.

"Yes, sir," replied Ray.

"Did you know Martin Luther King personally?"

"No, sir."

"Did you have a grudge against him?" Frisby asked.

"No, sir," Ray said. He spoke quickly and clearly and showed little emotion.

Then Frisby asked: "Did you

RAY

Killing of Dr. King Denied by Prisoner

Continued From Page A-1

were correct and Ray said, "Yes, that's correct."

The clerk then asked Ray if he would like to sign his statement.

Ray suddenly leaned forward in the chair, looked slightly surprised and said, "Well, how would I sign it?"

The comment uttered with a trace of Southern accent drew mild titters from the courtroom.

Won't Sign Document

There was more consultation between the magistrate and Frisby and Frisby then said Ray should not sign the document. Ray then resumed his seat in front of the iron-railed prisoner's dock.

Calcutt had begun his testimony today by accusing Ray of executing the "calculated, brutal and senseless murder" of King April 4, in Memphis, Tenn., with a rifle which bore his fingerprints.

"In my mind this was the single-handed work of this defendant," Calcutt said.

He said a witness saw him enter a Memphis boarding house bathroom and heard him fire the fatal shots.

The testimony today was so lengthy the British magistrate said there would have to be another hearing next week, probably at the end of the week.

The chief Scotland Yard superintendent, Thomas Butler, said the accused slumped to a seat when told during an interview that he was suspected of being Ray, wanted for murder with a gun and other crimes in the United States.

But Butler said Ray made no admission of guilt.

Said He Felt Trapped

"The accused had been standing up, but at this he suddenly slumped down in the seat behind him, put his head in his hands and said 'Oh, God!' Butler said. After a moment or so he added: 'I feel so trapped.'"

Calcutt said U.S. authorities had a witness who saw Ray enter a rooming house bathroom overlooking the motel where King died, heard a shot fired from the bathroom and saw Ray

"The third time he stayed an unconscionable length of time."

"The third time Mr. Stevens heard a hsot fired from the bathroom window," Calcutt said.

"A minute later, Mr. Stevens saw a man coming from the bathroom. He was the same man who had booked accommodation," he continued.

King was hit as he stood on a motel balcony. Investigators said the shot was fired from the bathroom window in the rooming house across the street.

As Ray stood — showing no apparent emotion — in the prisoner's dock, Calcutt looked at him and said: 'This fearful death was the work of this criminal."

Work of "Single Hand"

Calcutt described the crime as "the working of a single hand."

Today's was the third British court appearance for the 40-year-old escaped convict from Missouri since Scotland Yard detectives arrested him at a London airport June 8 and charged him with possessing false passports and a loaded pistol. He was traveling under the name of a Toronto policeman, Ramon George Sneyd.

One hundred policemen guarded Ray at the hearing. He rode to the court in a black police paddy wagon.

Calcutt quoted Stevens as saying he was certain a shot had been fired from the bathroom window, "because a partition between my kitchen and the bathroom was very thin."

Saw Man Running

"I looked through a broken pane of glass and heard voices coming from across the street in the direction of the Lorraine Motel," the lawyer quoted Stevens. "I opened my door and looked toward the bathroom. The door was open. I saw a man running. He was carrying a bundle which looked to be about three to four feet long and six to eight inches wide. It was wrapped in newspapers."

"I think it was the same man I had seen earlier with Mrs. Brewer (the landlady) in Room

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Ray [illegible] quickly and clearly [illegible] quickly and clearly and showed little emotion.

Then Frisby asked: "Did you kill Dr. Martin Luther King?"

And with no change of expression and almost matter-of-factly came the denial.

"No, sir," Ray said.

Political Crime Indicated

Frisby had told the court: "The whole burden of my case is that Dr. King is a political figure." The extradition agreement between the United States and Britain does not cover political crimes.

During his entire brief testimony Ray sat back in his chair in the witness box, resting his left arm on the railing. He appeared in full control of himself and only the squeaky tone of his voice in his first answers betrayed his inner turmoil.

The court clerk, using a fountain pen, took the procedure [illegible] in shorthand and then read [illegible] to ray. He asked if it

See Page [illegible]

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[illegible] U.S. authorities [illegible] who saw Ray enter a rooming house bathroom overlooking the motel where King died, heard a shot fired from the bathroom and saw Ray come out of the room a minute later.

He identified the witness as a "Mr. Stevens." A resident of the rooming house in Memphis at the time of the slaying was Charles Stevens.

Ray sat wordless, shoulders hunched forward, his jaw muscles twitching from time to time like a man clenching his teeth.

Calcutt said Ray bought the murder rifle with a telescopic sight and fired the fatal bullet from the window of a Memphis boarding house.

Seen By Witness

"The defendant saw the landlady and was seen by a witness, a Mr. Stevens who saw Ray enter the boarding house bathroom three times on the day King was assassinated," Calcutt quoted Stevens as saying.

[illegible] minute later, Mr. Stevens saw a man coming from the bathroom. He was the same man who had booked accommodation," he continued.

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"I think it was the same man I had seen earlier with Mrs. Brewer (the landlady) in Room 5B. I went back to the window and looked toward the Lorraine Motel. I saw a lot of men and policemen."

The barrister charged the bundle the man carried contained the murder rifle, with telescopic sight, and binoculars. Calcutt said there was strong evidence the bullet that killed King came from the rifle. He said the United States also had evidence Ray purchased the rifle. The rifle was found in a doorway on the street.

Calcutt quoted a deposition from George Bonebrake, U.S. Department of Justice fingerprint expert, that three fingerprints found on the murder rifle, its telescopic sight and a pair of binoculars found outside the rooming house matched prints of Ray on file with the FBI.